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separate assignments of error, the cases could not be brought up on a single writ of error.

[Ed. Note.—For other cases, see Appeal and Error, Cent. Dig. §§ 59, 60; Dec. Dig. § 15.\* 1 Va.-W. Va. Enc. Dig. 503.]

Error to Corporation Court of Radford.

Separate proceedings by the Round Mountain Mining & Manufacturing Company against the Commonwealth of Virginia to collect assessments of lands owned by the company. Separate judgments for plaintiff, and the Commonwealth brings a single writ of error, and defendant moves to dismiss. Writ dismissed.

*The Attorney General*, for the Commonwealth.

*Jackson & Henson*, of Roanoke, for defendant in error.

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WYATT et al. v. GLEASON.

Jan. 12, 1915.

[83 S. E. 1069.]

1. **Habeas Corpus (§ 99\*)—Custody of Child—Right.**—Where the father, the sole living parent, acquiesced in the act of his sister-in-law and her husband in exercising control over, caring for, and becoming attached to his child as though she were their own, and it clearly appeared that they were proper persons to raise and provide for her, and that she could not have a more suitable home, and there was no evidence as to the care and affection she would be likely to receive if surrendered to her father and youthful stepmother, the custody of the child could not properly be interfered with.

[Ed. Note.—For other cases, see Habeas Corpus, Cent. Dig. § 84; Dec. Dig. § 99.\* 10 Va.-W. Va. Enc. Dig. 635.]

2. **Habeas Corpus (§ 99\*)—Custody of Child—Discretion.**—Where the father has voluntarily relinquished custody of his infant child to a suitable female relative, the court will exercise its discretion according to the facts, having primarily in view the welfare of the child.

[Ed. Note.—For other cases, see Habeas Corpus, Cent. Dig. § 84; Dec. Dig. § 99.\* 10 Va.-W. Va. Enc. Dig. 635.]

Error to Corporation Court of Lynchburg.

Habeas corpus by R. T. Gleason against Bessie May Wyatt and another. Judgment for plaintiff, and defendants bring error. Reversed.

*John L. Lee*, of Lynchburg, for plaintiffs in error.

*Coleman, Easley & Coleman*, of Lynchburg, for defendant in error.

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\*For other cases see same topic and section NUMBER in Dec. Dig. & Am. Dig. Key No. Series & Rep'r Indexes.